

THE DISTRICT OF COLUMBIA HOUSING AUTHORITY

NOTICE OF FINAL RULEMAKING

The Board of Commissioners of the District of Columbia Housing Authority hereby gives notice of the adoption of an amendment to Chapter 62 and Chapter 74 to Title 14, which contain the rules governing pet ownership in public housing properties. Final action to adopt these rules was taken at the Board of Commissioners regular meeting on April 13, 2005. Notice of Proposed Rulemaking was published on March 18, 2005 (52 DCR 2775). Minor, but not substantial, changes were made to the text of the proposed rules as published under the notice of proposed rulemaking. These final rules will be effective upon publication of this notice in the D.C. Register.

Chapter 62 is amended by adding the following text as the new Section 6211 and renumbering the remaining sections 6211 through 6214 as section 6211 and 6212.

6211 PET OWNERSHIP IN PUBLIC HOUSING

6211.1 Pets Generally Prohibited. Pets are not generally permitted at DCHA properties, except as provided in subsection 6211.2 and 6211.3 herein.

6211.2 Prior Ownership. Residents of Elderly-only and Mixed population properties who own a pet that resides in their unit prior to May 1, 2005, may continue to own a pet that is otherwise not prohibited under Subsection 6211.3(a) below, provided the resident complies with the requirements of Subsections 6211.4(a) and (c) on or before July 1, 2005.

6211.3 Animal Limitations.

- (a) Under no circumstances shall animals whose natural protective mechanisms pose a risk of serious bites and lacerations, or are considered to be, or are found to be, dangerous, aggressive, vicious, intimidating or detrimental to the health and safety of other residents or employees, be permitted as pets. Snakes or other types of undomesticated animals are not permitted as pets.
- (b) Dogs in excess of 25 pounds are only permitted if they are:
 - (i) Approved as a service animal in accordance with Chapter 74 of this title as a reasonable accommodation; or
 - (ii) Otherwise are eligible under the prior ownership provisions of Section 6211.2(a).

- 6211.4 Registration Requirements. Residents at any DCHA-owned property who are permitted to have a pet under the provisions of 6211.2 may keep an animal, subject to the restrictions in Subsection 6211.3, provided they also comply with the following requirements:
- (a) Register the animal with the property manager;
 - (b) Update the registration for the animal annually;
 - (c) Provide proof the animal has been inoculated in accordance with applicable local law;
 - (d) Execute a lease addendum providing for the proper care and maintenance of the animal and the unit occupied by the animal in accordance with DCHA rules; and
 - (e) Continuously provide the proper maintenance and care for the animal and assure that the animal does not otherwise impair the peaceful enjoyment of the property by other residents.
- 6211.5 After the effective date of these regulations, no pet shall be brought to reside on any DCHA property prior to registration and compliance with the requirements of Subsections 6211.4(a), (c) and (d).
- 6211.6 A request to register a pet in public housing under the provisions of 6211.2 above that is denied for any reason is subject to the grievance procedure provided in Chapter 63 of this Title.

Amendment: Chapter 74, Reasonable Accommodation Policies and Procedures, is amended by revising Section 7409 to read as follows:

7409 SERVICE ANIMALS

- 7409.1 Residents of DCHA with disabilities are permitted to have service animals, if such animals are necessary as a reasonable accommodation for their disabilities. DCHA residents, or potential residents, who need a service animal as a reasonable accommodation must request the accommodation in accordance with the reasonable accommodation policy set forth in this Chapter
- 7409.2 Residents who have a service animal residing with them at any DCHA-owned property prior to May 1, 2005, must file a request for a reasonable